

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DISTRICT COURT NO. 23-10171

Honorable Laurie J. Michelson
Mag Judge Elizabeth A. Stafford

IN RE:

**CHRISTOPHER D. WYMAN
Debtor(s),**

**BANK CASE NO. 12-32264
CHAPTER 7
HON: D. S. OPPERMAN**

MICHAEL E. TINDALL,
Appellant,

v.

SAMUEL D. SWEET,
Appellee.

**APPELLANT'S EX-PARTE FRCP 8018(a)
MOTION AND BRIEF TO MODIFY BRIEFING SCHEDULE**

Appellant MICHAEL E. TINDALL, (hereinafter "Claimant"),
Assignee of all [100%] claims of BARBARA DUGGAN (\$32,240.34), and
a party in interest holding a secured attorney lien (\$34,100.00/\$21,869.33)
against the proceeds of the Realty (hereinafter collectively "allowed secured
claim"), hereby moves to modify this Court's BRIEFING/SCHEDULING
ORDER DE 5, dated February 22, 2023, and states:

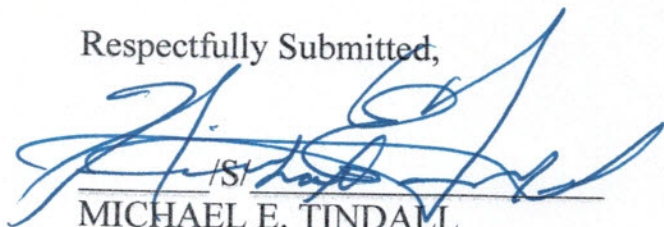
1. This Court issued DE 5 February 22, 2023, providing that

Appellant's Brief will be due March 23, 2023. See, Exhibit A

2. On March 11, 2023, Appellant filed DE6 in this Court, amending his NOTICE OF APPEAL [Docketed March 13, 2023], as required by E.D. Mich LR 83.50 (d) (3).
3. On March 19, 2023, Appellant filed his AMENDED DESIGNATION OF RECORD ON APPEAL, AMENDED STATEMENT OF ISSUES ON APPEAL, and, AMENDED CERTIFICATE REGARDING TRANSCRIPTS ON APPEAL with the Bankruptcy Court, as required by FRBP 8009 and E.D. Mich LR 83.50 (d)(3). See, Exhibit B. Although FRBP allows 14 days for this filing, until March 25, 2023, Appellant allowed time, within that 14 day period, to make any corrections or alterations the Bankruptcy Court Clerk may require.
4. Under FRBP 8009, Appellee will then have 14 days- until April 8, 2023, to amend his original designation of items to include in the record. Presumably, thereafter, the amendments to the record will be transmitted to this Court within a matter of days.
5. Appellant therefore respectfully request this Court modify/amend DE 5 to set new dates for the filing of all briefs starting 30 days after receipt of the amended record from the Bankruptcy Court Clerk.

6. Appellant further request, pursuant to FRBP 8018(e), that this Court dispense with an Appendix in this case and permit this appeal to proceed on the amended record to be transmitted together with the original record already received.
7. Appellant certifies, in support of this Motion:
 - A. This motion is made within the limit contained in the original Briefing Order, DE 5.
 - B. No previous requests for extension have been made, and, none have been denied.
 - C. No previous extensions in this matter have been granted.
8. Appellant relies upon FRBP 8009 and 8018 in support of this motion.

Respectfully Submitted,



MICHAEL E. TINDALL
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DETROIT, MI 48236
(248)250-8819

Direct Email: met@comcast.net

Dated: 3/20/2023

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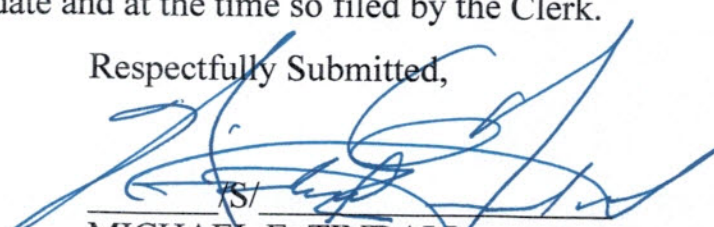
CERTIFICATE OF SERVICE
(Modified for PEDUP)

Appellant, in pro per, hereby certifies that

APPELLANT'S EX-PARTE FRCP 8018(a)
MOTION AND BRIEF TO MODIFY BRIEFING SCHEDULE

was submitted for filing through the PEDUP program on March 20, 2023
and will be served on Appellee Trustee Sweet by the Clerk's filing through
the Court's ECF System on the date and at the time so filed by the Clerk.

Respectfully Submitted,



MICHAEL E. TINDALL
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Dated: 3/20/2023

Direct Email: met@comcast.net

MET

From: cmecfhelpdesk@mieb.uscourts.gov
Sent: Sunday, March 19, 2023 8:07 PM
To: met@comcast.net
Subject: Pro Se Self-Service Filing submitted on Sunday, March 19, 2023 - 20:07

The Eastern District of Michigan Bankruptcy Court has received your following submission. If you have questions regarding the Pro Se Electronic Document Upload Program, please call (313) 234-0065, (810) 235-4126, or (989) 894-8840.

--Submitted on:
Sunday, March 19, 2023 - 20:07

--Filer's Name:
MICHAEL E. TINDALL

--Filer's Email:
met@comcast.net

--Filer's Phone Number:
248-250-8819

--Case Number (if known):
12-32264